

**Information to identify the case:**

Debtor 1	John Benjamin Vivian	Social Security number or ITIN xxx-xx-1561
	First Name Middle Name Last Name	EIN -----
Debtor 2 (Spouse, if filing)	Jodie Lynn Vivian	Social Security number or ITIN xxx-xx-5061
	First Name Middle Name Last Name	EIN -----
United States Bankruptcy Court	WESTERN DISTRICT OF PENNSYLVANIA	Date case filed for chapter 13 9/5/19
Case number: 19-10899-TPA		

Official Form 309I

**Notice of Chapter 13 Bankruptcy Case**

12/17

**For the debtors listed above, a case has been filed under chapter 13 of the Bankruptcy Code. An order for relief has been entered.**

**This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.**

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors, the debtors' property, and certain codebtors. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

Confirmation of a chapter 13 plan may result in a discharge. Creditors who assert that the debtors are not entitled to a discharge under 11 U.S.C. § 1328(f) must file a motion objecting to discharge in the bankruptcy clerk's office within the deadline specified in this notice. Creditors who want to have their debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office by the same deadline. (See line 13 below for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at [www.pacer.gov](http://www.pacer.gov)).

**The staff of the bankruptcy clerk's office cannot give legal advice.**

**To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.**

**Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.**

<b>About Debtor 1:</b>		<b>About Debtor 2:</b>
<b>1. Debtor's full name</b>	John Benjamin Vivian	Jodie Lynn Vivian
<b>2. All other names used in the last 8 years</b>		aka Jodie L Batka
<b>3. Address</b>	PO Box 677 Conneaut Lake, PA 16316	PO Box 677 Conneaut Lake, PA 16316
<b>4. Debtor's attorney</b> Name and address	Daniel P. Foster Foster Law Offices PO Box 966 Meadville, PA 16335	Contact phone 814.724.1165  Email: <a href="mailto:dan@mrdebtbuster.com">dan@mrdebtbuster.com</a>
<b>5. Bankruptcy trustee</b> Name and address	Ronda J. Winnecour Suite 3250, USX Tower 600 Grant Street Pittsburgh, PA 15219	Contact phone 412-471-5566  Email: <a href="mailto:cmevf@chapter13trusteewdpa.com">cmevf@chapter13trusteewdpa.com</a>
<b>6. Bankruptcy clerk's office</b> Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> .	U.S. Bankruptcy Court U.S. Courthouse, Room B160 17 South Park Row Erie, PA 16501	Hours open: Mon. – Fri. Pittsburgh Office: 9:00a.m. – 4:30p.m. Erie Office: 9:00a.m. – 4:30p.m.  Contact phone 814-464-9740  Date: 10/7/19

**For more information, see page 2**

<b>7. Meeting of creditors</b>	<b>November 19, 2019 at 09:00 AM</b>	<b>Location:</b> Bankruptcy Court Conference Room B110, U.S. Courthouse, 17 South Park Row, Erie, PA 16501
Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.		
<b>8. Deadlines</b>	<b>Deadline to file a complaint to challenge dischargeability of certain debts:</b> <b>You must file:</b> <ul style="list-style-type: none"><li>• a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f), or</li><li>• a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4).</li></ul> <b>Deadline for all creditors to file a proof of claim (except governmental units):</b> <b>Deadline for governmental units to file a proof of claim:</b>	<b>Filing deadline: 1/21/20</b> <b>Filing deadline: 11/14/19</b> <b>Filing deadline: 3/3/20</b>
<p><b>Deadlines for filing proof of claim:</b>  A proof of claim is a signed statement describing a creditor's claim. A proof of claim form may be obtained at <a href="http://www.uscourts.gov">www.uscourts.gov</a> or any bankruptcy clerk's office.  If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed.  Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.</p>		
<b>9. Filing of plan</b>	The debtor has filed a plan. The plan is enclosed. The hearing on confirmation will be held on: <b>11/19/19 at 09:00 AM</b> , Location: <b>Bankruptcy Court Conference Room B110, U.S. Courthouse, 17 South Park Row, Erie, PA 16501</b>	<b>Filing deadline:</b> 30 days after the conclusion of the meeting of creditors
<b>10. Creditors with a foreign address</b>	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadline in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
<b>11. Filing a chapter 13 bankruptcy case</b>	Chapter 13 allows an individual with regular income and debts below a specified amount to adjust debts according to a plan. A plan is not effective unless the court confirms it. You may object to confirmation of the plan and appear at the confirmation hearing. A copy of the plan, if not enclosed, will be sent to you later, and if the confirmation hearing is not indicated on this notice, you will be sent notice of the confirmation hearing. The debtor will remain in possession of the property and may continue to operate the business, if any, unless the court orders otherwise.	
<b>12. Exempt property</b>	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors, even if the case is converted to chapter 7. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at <a href="http://www.pacer.gov">www.pacer.gov</a> . If you believe that the law does not authorize an exemption that debtors claimed, you may file an objection by the deadline.	
<b>13. Discharge of debts</b>	Confirmation of a chapter 13 plan may result in a discharge of debts, which may include all or part of a debt. However, unless the court orders otherwise, the debts will not be discharged until all payments under the plan are made. A discharge means that creditors may never try to collect the debt from the debtors personally except as provided in the plan. If you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4), you must file a complaint and pay the filing fee in the bankruptcy clerk's office by the deadline. If you believe that the debtors are not entitled to a discharge of any of their debts under 11 U.S.C. § 1328(f), you must file a motion. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 8.	

**Certificate of Notice Page 3 of 4**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 John Benjamin Vivian  
 Jodie Lynn Vivian  
 Debtors

Case No. 19-10899-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: mgut  
 Form ID: 309I

Page 1 of 2  
 Total Noticed: 37

Date Rcvd: Oct 07, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 09, 2019.

db           #+John Benjamin Vivian, PO Box 677, Conneaut Lake, PA 16316-0677  
 jdb           #+Jodie Lynn Vivian, PO Box 677, Conneaut Lake, PA 16316-0677  
 aty           +James Warmbrodt, KML Law Group, P.C., 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541  
 tr           +Ronda J. Winneccour, Suite 3250, USX Tower, 600 Grant Street, Pittsburgh, PA 15219-2702  
 15117919     +Aes / Pheaa frn, PO Box 61047, Harrisburg, PA 17106-1047  
 15117920     +Ar Resources Inc, 1777 Sentry Parkway West, Blue Bell, PA 19422-2206  
 15117921     +BFG Supply Company, PO Box 479, Burton, OH 44021-0479  
 15117922     ++CAINE & WEINER COMPANY, 12005 FORD ROAD 300, DALLAS TX 75234-7262  
 (address filed with court: Caine Weiner, Po Box 55848, Sherman Oaks, CA 91413)  
 15117924     +Commonwealth Financial, 245 Main Street, Dickson City, PA 18519-1641  
 15117927     +Geneva Truck & Equipment Inc, 17693 PA 285, Cochranton, PA 16314  
 15133233     +John M Rossi, c/o Jessica A Smith, 1 East State Street, 4th Floor, Sharon, PA 16146-1714  
 15117928     +KML Law Group PC, BNY Mellon Independence Center, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541  
 15133234     +Lloyds Rental & Sales, 1355 South Main Street, Meadville, PA 16335-3072  
 15117929     +Luke's Automotive, 1836 West 26th Street, Erie, PA 16508-1149  
 15117930     +Meadville Diagnostic Medical Imaging Inc, 751 Liberty Street, Meadville, PA 16335-2559  
 15117933     +PA Liberty St Emergency Physicians LLC, 751 Liberty Street, Meadville, PA 16335-2559  
 15129308     +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147  
 15117935     +PNC Mortgage, Attn: Bankruptcy Dept., 3232 Newmark Drive, Miamisburg, OH 45342-5433  
 15117937     +Progressive, PO Box 7247-0311, Philadelphia, PA 19170-0001  
 15133235     +Tamara Kerr, 200 South Ridge East, Geneva, OH 44041-9303  
 15133236     +Tracy Little, 27651 Hickory Corners Road, Guys Mills, PA 16327-5529

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

aty           +E-mail/Text: dan@mrdebbuster.com Oct 08 2019 02:47:27     Daniel P. Foster,  
 Foster Law Offices, PO Box 966, Meadville, PA 16335  
 smg           +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Oct 08 2019 02:47:54     Pennsylvania Dept. of Revenue,  
 Department 280946, P.O. Box 280946, ATTN: BANKRUPTCY DIVISION,  
 Harrisburg, PA 17128-0946  
 ust           +E-mail/Text: ustpregion03.pi.ecf@usdoj.gov Oct 08 2019 02:47:59  
 Office of the United States Trustee, Liberty Center, 1001 Liberty Avenue, Suite 970,  
 Pittsburgh, PA 15222-3721  
 cr           +EDI: AISACG.COM Oct 08 2019 06:38:00     Capital One Auto Finance, a division of Capital On,  
 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901  
 15117923     +EDI: CAPITALONE.COM Oct 08 2019 06:38:00     Capital One N.A., PO Box 30285,  
 Salt Lake City, UT 84130-0285  
 15133231     +E-mail/Text: ra-li-ucts-bankhb@state.pa.us Oct 08 2019 02:48:26     Commonwealth of PA UCTS,  
 Department of Labor & Industry, 651 Boas Street, Room 702, Harrisburg, PA 17121-0751  
 15117925     +E-mail/Text: electronicbkydocs@nelnet.net Oct 08 2019 02:48:05  
 Department Of Education / Nelnet Loans, 121 South 13th Street, Lincoln, NE 68508-1904  
 15117926     +E-mail/Text: bankruptcy@firstenergycorp.com Oct 08 2019 02:48:04     First Energy,  
 5001 NASA Boulevard, Fairmont, WV 26554-8248  
 15133232     +EDI: HFC.COM Oct 08 2019 06:38:00     Household Finance Consumer, Discount Company,  
 3747 William Penn Highway, Monroeville, PA 15146-2189  
 15117931     +E-mail/Text: Bankruptcies@nragroup.com Oct 08 2019 02:48:26     National Recovery Agency,  
 2491 Paxton Street, Harrisburg, PA 17111-1036  
 15117932     +E-mail/Text: toleski@oamortho.com Oct 08 2019 02:48:25     Orthopedic Associates of Meadville,  
 11277 Vernon Place, Suite 200, Meadville, PA 16335-3719  
 15117936     EDI: PRA.COM Oct 08 2019 06:38:00     Portfolio Recovery Associates, 150 Corporate Boulevard,  
 Norfolk, VA 23502  
 15135492     EDI: RESURGENT.COM Oct 08 2019 06:38:00     Pinnacle Credit Services, LLC,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 15135492     +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 08 2019 02:56:24  
 Pinnacle Credit Services, LLC, Resurgent Capital Services, PO Box 10587,  
 Greenville, SC 29603-0587  
 15117938     +EDI: SWCR.COM Oct 08 2019 06:38:00     Southwest Credit Systems, 4120 International Parkway,  
 Carrollton, TX 75007-1958  
 15128456     +E-mail/Text: electronicbkydocs@nelnet.net Oct 08 2019 02:48:05  
 US Department of Education c/o Nelnet, 121 S 13th St, Suite 201, Lincoln, NE 68508-1911  
 15117939     +E-mail/Text: wci.bankruptcy@windstream.com Oct 08 2019 02:48:28  
 Windstream Communications Inc., 4001 Rodney Parham Road, Little Rock, AR 72212-2459  
 TOTAL: 17

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*  
 cr           PNC BANK NATIONAL ASSOCIATION

District/off: 0315-1

User: mgut  
Form ID: 309I

Page 2 of 2  
Total Noticed: 37

Date Rcvd: Oct 07, 2019

15117934

##+Penn Credit Corporation, 916 South 14th Street, Harrisburg, PA 17104-3425

TOTALS: 1, \* 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court  
immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner  
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social  
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required  
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 09, 2019

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system on October 7, 2019 at the address(es) listed below:

Daniel P. Foster on behalf of Joint Debtor Jodie Lynn Vivian dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com

Daniel P. Foster on behalf of Debtor John Benjamin Vivian dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com

James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmllawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour cmeccf@chapter13trusteewdpa.com

TOTAL: 5